

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) Criminal No. 07-CR-3210
)
Plaintiff,)
)
v.) **PROOF OF SERVICE**
)
JOSE MACEDO-DE LA CRUZ,)
)
Defendant.)

I, ROBERT L. SWAIN, am a citizen of the United States and am at least eighteen years of age. My business address is 964 Fifth Avenue, Suite 214, San Diego, California, 92101.

I am not a party to the above-entitled action. I served the within **NOTICE OF MOTIONS AND MOTIONS TO COMPEL DISCOVERY AND LEAVE TO FILE FURTHER MOTIONS; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF DEFENDANT'S MOTIONS**, on the following parties by electronically filing the foregoing with the clerk of the District Court using its ECF System, which electronically notifies them.

Judge Thomas J. Whelan [efile Whelan@casd.uscourts.gov](mailto:efile_Whelan@casd.uscourts.gov).

Assistant United States Attorney Rebecca.Kanter@usdoj.gov

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 14, 2007.

/s/ Robert L. Swain
ROBERT L. SWAIN